

Filing a Residential Formal Energy Complaint

As a residential customer of a natural gas or electric utility company, if you object to an action of a regulated utility company you have the right to file a formal complaint. You should first contact the company and work with them to resolve the problem. However, if you continue to disagree with the company's decision, you may contact the Michigan Public Service Commission (MPSC) staff for help through an informal complaint process. If you remain dissatisfied after the staff has completed its review of the situation, you may file a formal complaint, which requests a hearing before an administrative law judge. At the hearing you will have the opportunity to present evidence to support your case. The following pages provide information on filing a formal complaint and provide a generic format for a complaint. Please read these pages carefully – more than once – to remind yourself of the information.

Your complaint **MUST** include all of the information regarding your claim, especially when referring to an MPSC rule you feel may have been violated because you, the complainant, have **the burden of proving** your case before the administrative law judge.

Copies of the rules and laws that apply can be found on the Commission's web site <http://www.michigan.gov/mpsc/0,1607,7-159-16370-40775--,00.html#Gas>:

*Note: If you are a small business or commercial customer, **this complaint form is not for you.** Different rules apply, and if the business is a recognized legal entity, e.g., a corporation or limited liability company, etc., you **MUST** have an attorney to represent the entity before the Commission, including filing a complaint.*

Before mailing, please make sure this checklist is complete:

- State the MPSC rules and/or tariff provisions you believe have been violated;
- Include a description of exactly what happened, please include all the details, the names and addresses of any persons involved, and all disputed charges and costs;
- Specifically state what resolution you are asking of the Commission; and
- **Attach bill copies and other documents in your possession that you will need to rely upon to support your case.**

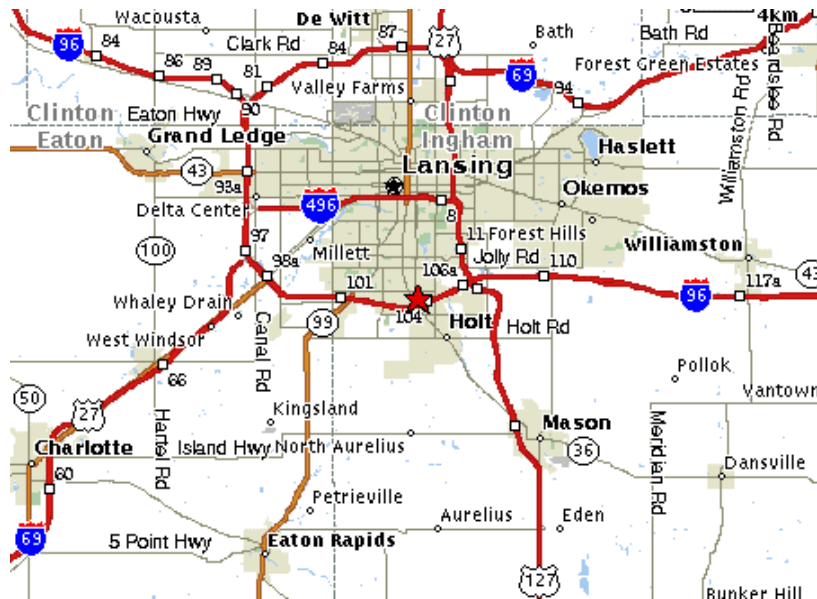
Please note: Under most circumstances, the Commission does NOT have authority to award money for damages to property or for time and trouble or inconvenience and annoyance. Also, the Commission does not have authority to settle land rights disputes; e.g. disputes concerning proper use of easements.

Please mail the original signed and dated complaint with 7 additional copies to the Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, MI, 48909-7721. Please contact the Executive Secretary toll-free at 1-800-292-9555 with any questions.

MICHIGAN PUBLIC SERVICE COMMISSION
6545 Mercantile Way Suite #7
Lansing, MI 48911
Phone: 517-241-6180

**To get to the Offices of the Michigan Public Service Commission (MPSC)
from I-96:**

You should take Exit number 104 the Cedar Street/Holt Exit. As you exit the freeway you will see the offices of the MPSC off to your left. When you come to the traffic light, turn left (South) on Pennsylvania. At the second traffic light, you will see a Zeus' Restaurant on the corner; turn left (East) onto Pierpont Street. You will see a Days Inn on the right. In less than a half a block the street turns to the left. This is Mercantile Way. The MPSC offices are located in the two-story building on the right hand side of the street, 6545 Mercantile Way. Enter the building at Suite #7 and see the receptionist.



Please direct any problems to mpsc.webmaster@michigan.gov

Exit 104
Cedar St-Holt

S T A T E O F M I C H I G A N
Michigan Public Service Commission
Service Quality Division
6545 Mercantile Way
P.O. Box 30221
Lansing, Michigan 48909

In the matter of the complaint of:)

Case Number: _____

_____)

(Complainant name)

)

Against: _____)

(Utility Company name)

RESIDENTIAL ENERGY FORMAL COMPLAINT

Complainant: _____

_____, and brings this
Customer name, Street Address, City, State, Zip Code and phone number

Formal Complaint against: _____

_____ .

Utility company name and address

If you believe any of the following RESIDENTIAL rules have been violated, please circle the number of the applicable rule(s) listed below and fill in any blanks: (please print carefully and legibly)

BILLING

1. R460.2111 Billing Frequency (customer did not receive a bill for _____ months).
2. R460.2112 Estimated Billing (utility did not read the meter every other month as required by this rule. There are no dogs in the yard, no locked fence, no extreme weather conditions and no emergencies occurred during this period. The utility had access to the meter at all times; and per R460.2113 (Customer Meter Reading) – the utility did not provide the customer the opportunity to read and report his/her energy usage)
 - How many months, in a row, was your meter reading estimated? _____ Where is your meter located? _____
3. R460.2119 Bill Information (utility did not apply payment(s) correctly – please attach canceled checks or money order numbers, along with copies of bills for those months)
4. R460.2120 Separate Bills – (utility cannot combine bills from separate locations without the customer’s written authorization – unless one location is shut off, in which case, the unpaid balance may be transferred to the customer’s 2nd location)
5. R460.2125 Billing Error – (if a utility overcharges a customer because of malfunctioning meter, clerical mistake or failure to properly record your payment, the utility must credit the overcharge for the last 3 years unless customer can prove longer – if a utility undercharges a customer for any reason other than meter tampering or fraud, the utility can back bill for up to 12 months. If the utility increases your bill to correct an undercharge, it must offer you a reasonable payment plan.)

DEPOSITS

6. R460.2131 Customer asserts that the utility improperly required a deposit for *new customer*. (A utility may require a deposit only if customer has an unpaid, undisputed bill with any other utility in the last 6 years, misrepresented his or her identity or credit rating, failed to give the utility adequate identification, was previously involved in meter tampering or fraud in the last 6 years, asked to receive service at someplace other than his or her home, lived in a house where another member of his or her family has an unpaid, undisputed bill, has a bad credit rating or has declared bankruptcy in the last 6 years).

- Please state why you disagree with the deposit requirement:

7. R460.2132 Customer asserts that the utility improperly required a deposit *to restore or continue* service to an existing customer and states that none of reasons listed in R 460.2132, which permits the utility to require a deposit are applicable. (Those reasons include: unpaid undisputed delinquent account within the last 6 years, misrepresentation of identity or credit standing, failure to provide identification, previous tampering or fraud, previous shutoff for non payment of undisputed account, bounced checks to utility, or a receiver appointed or bankruptcy protection sought within past 6 years.)

- Please state why you disagree with the requirement and the amount of deposit to restore your service: _____

. ******NOTE: Maximum amount of deposits for residential customers: twice the average peak season's monthly bill.**

SHUT OFF

8. R460.2152 Manner of Shutoff (utility did not notify me about the shut off by phone) or R460.2163 Written Notice (utility did not mail me a written notice of shut off)

9. R460.2161 Shut off Permitted: 61C The customer or others have caused the unauthorized use, diversion, or interference with the utility service situated or delivered on or about the customer's premises.

10. R460.2153 Medical Emergency to prevent shut off for up to 63 days. R 460.2153.

- Please state what your medical emergency was, how you documented it for the utility, and the utility's stated reason for rejecting your medical emergency as a reason for postponing the shut-off: _____

11. R460.2170 Settlement Agreement (The utility refused to offer me the chance to sign a settlement agreement setting up a reasonable payment plan to pay off an arrearage?)

What did the utility offer? _____

What do you think would be reasonable? _____

WINTER PROTECTION PLAN

12. R460.2174 Winter Protection Plan (Company would not let me enroll despite the fact that I was eligible for the plan)

13. R460.2174 Winter Protection Plan - default (the utility did not send me a shut off notice or put a hold on the account while customer is waiting for their Home Heating Credit)

GENERAL

What amount, if any, of your bill is in dispute? \$_____. ***Please Note: you are responsible for paying your current balance and all undisputed amounts from prior bills to avoid shut off during this complaint.***

Please state the MPSC rules and/or regulations, orders, section of statute or tariff provisions you believe have been violated as it relates to your complaint.

Please describe your dispute in detail, identifying all witnesses and attaching copies of all documents supporting your case. (use additional pages as necessary)

REQUEST FOR RELIEF

Please make "a clear and concise statement of the relief sought and the authority upon which the complainant relies for the relief." R460.17505; Rule 505 (1)(f). Please state what relief/resolution you are seeking: i.e., reduce my bill by a certain amount, turn my service back on, other.

Other additional comments or statutory violations: _____

Please attach bill copies to support your case. You as the complainant have the burden of proof.

Please sign and mail the original and 7 copies of this complaint to:

Executive Secretary, MPSC, P.O. Box 30221, Lansing, MI 48909

Signature _____ Date _____

Please Print your Name _____

Address _____

City _____ State _____ Zip Code _____

Home Phone Number _____

Work Phone Number _____

E-Mail Address _____